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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BETTY DUKES, PATRICIA SURGESON,
EDITH ARANA, DEBORAH GUNTER and
CHRISTINE KWAPNOSKI, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

WAL-MART STORES, INC.,

Defendant.

CASE NO.: C 01-2252-CRB

**STIPULATION AND ORDER
REGARDING FILING OF
SUPPLEMENTAL MEMORANDUM IN
SUPPORT OF WAL-MART'S MOTION
TO DISMISS FOURTH AMENDED
COMPLAINT**

The undersigned counsel, on behalf of Betty Dukes, Patricia Surgeson, Edith Arana, Deborah Gunter, and Christine Kwapnoski ("Named Plaintiffs") and Defendant Wal-Mart Stores, Inc. ("Wal-Mart"), hereby stipulate and agree as follows:

WHEREAS, on January 3, 2012, pursuant to a stipulation of the parties, this Court established a briefing schedule on Wal-Mart's Motion to Dismiss the Fourth Amended Complaint, *see* Dkt. 780;

WHEREAS, on January 13, 2012, Wal-Mart filed its Motion to Dismiss the Fourth Amended Complaint and a Memorandum of Points and Authorities in Support Thereof, *see* Dkt. 781;

1 WHEREAS, Wal-Mart wishes to file a supplemental memorandum in support of its motion to
2 dismiss, not to exceed five pages, to assert an argument regarding the timeliness of the plaintiffs'
3 class allegations;

4 WHEREAS, Wal-Mart has agreed that Named Plaintiffs may have an additional five pages
5 and seven days in which to respond to all of the arguments made in support of Wal-Mart's motion to
6 dismiss;

7 WHEREAS, counsel for Named Plaintiffs have agreed to Wal-Mart's proposal and consented
8 to the filing of the supplemental memorandum on the terms stated; and

9 WHEREAS, the stipulated changes to the briefing schedule described below do not alter the
10 date by which any reply brief by Wal-Mart shall be filed, such that all briefing shall be completed by
11 the same date as was previously ordered by the Court, *see* Dkt. 769, 780;

12 THEREFORE, the Named Plaintiffs and Wal-Mart stipulate and agree as follows:

13 1. Wal-Mart may file a Supplemental Memorandum of Points and Authorities in Support
14 of its Motion to Dismiss the Fourth Amended Complaint no later than March 21, 2012 that shall not
15 exceed 5 pages;

16 2. Named Plaintiffs' response to Wal-Mart's Motion to Dismiss the Fourth Amended
17 Complaint shall be filed no later than March 30, 2012 and shall not exceed 50 pages;

18 3. The deadline for the filing of Wal-Mart's reply, if one is to be filed, shall remain
19 unchanged as April 13, 2012;

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4. The hearing date set for Wal-Mart's Motion to Dismiss shall be May 7, 2012 at 10:00 a.m..

IT IS SO STIPULATED.

Dated: March 21, 2012

By: /s/ Brad Seligman

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I, Theodore J. Boutrous, Jr., attest that concurrence in the filing of this document has been obtained from the other signatory.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATE: MARCH 23, 2012

